

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JONATHAN F. RAMOS,

Plaintiff,

vs.

TYSON FRESH MEATS, INC.,

Defendant.

8:20CV375

SIXTH AMENDED
CASE PROGRESSION ORDER

This matter comes before the Court on the Unopposed Motion for Extension of Remaining Case Progression Deadlines ([Filing No. 52](#)). After review of the motion, the Court finds good cause to grant the requested extensions. Accordingly,

IT IS ORDERED that the Unopposed Motion for Extension of Case Progression Deadlines ([Filing No. 52](#)) is granted, and the fifth amended case progression order is amended as follows:

- 1) A status conference to discuss case progression and the parties' interest in settlement will be held with the undersigned magistrate judge on **March 24, 2023, at 11:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deadlines for identifying expert witnesses expected to testify at the trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the defendant:	June 20, 2023
Plaintiff's rebuttal:	August 3, 2023

- 3) The deadlines for completing expert disclosures¹ for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), are:

For the defendant:	July 20, 2023
Plaintiff's rebuttal:	August 14, 2023

- 4) The planning conference to discuss case progression, dispositive motions, the parties' interest in settlement, and the trial and pretrial conference settings is rescheduled for **September 13, 2023, at 11:00 a.m.** by telephone before the undersigned magistrate judge. Counsel shall use the conferencing instructions assigned to this case to participate in the conference.

¹ While treating medical and mental health care providers are generally not considered "specially retained experts," not all their opinions relate to the care and treatment of a patient. Their opinion testimony is limited to what is stated within their treatment documentation. As to each such expert, any opinions which are not stated within that expert's treatment records and reports must be separately and timely disclosed.

- 5) The deposition deadline, including but not limited to depositions for oral testimony only under Rule 45, remains **September 15, 2023**. The maximum number of depositions that may be taken by the plaintiffs as a group and the defendants as a group is **ten (10)**.
- 6) The deadline for filing motions to dismiss and motions for summary judgment remains **October 31, 2023**.
- 7) The deadline for filing motions to exclude testimony on *Daubert* and related grounds remains **November 10, 2023**.
- 8) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 15th day of February, 2023.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge